

NOV 15 2005

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For The Northern Mariana Islands
By _____
(Deputy Clerk)

Attorney for Defendant DAI, Xiao Jun

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

**UNITED STATES OF
AMERICA,**

Plaintiff,

vs.

DAI, XIAO JUN,

Defendant.

Criminal Case No. 05-00022

**DEFENDANT DAI XIAO
JUN'S MOTION FOR
DISCOVERY**

Date: NOV 23 2005

Time: 9:00 a.m.

Judge: Hon. Alex R. Munson

Pursuant to Fed. R. Crim. P. 16(a)(1)(E) and 26.2, and Fed. R. Evid.
1006, Defendant Dao, Xiao Jun, by and through counsel, hereby moves the
court for an order directing the United States to produce:

1. All books, papers, reports, test results, documents,
photographs, tangible objects, and/or copies or portions thereof that
comprise, mention, or relate to the use and operation of that certain
electronic monitoring or tracking device that the Government claims to have
inserted into the package addressed to Chen Jian at PMB 212 and

1 containing approximately 2.75 kilograms of suspected counterfeit Viagra
2 during the course of a “controlled delivery;”

3 2. The electronic monitoring or tracking device, including the
4 name, serial number, manufacturer, and model thereof;

5 3. Any results or reports of physical examinations and of
6 scientific tests or experiments made in connection with this case and
7 particularly any writings, reports, recordings, documents, or photographs
8 reflecting any laboratory analysis of the suspected Viagra; and
9

10 4. Any results or reports of physical examinations and of
11 scientific tests or experiments made in connection with any other package
12 or parcel addressed to any person entitled to receive mail at PMB 212,
13 Saipan, MP 96950.
14

15 This Motion for Discovery is based on the Memorandum of Points
16 and Authorities filed contemporaneously herewith; the Exhibits filed
17 concurrently with this Motion, the court’s file in this case, and such exhibits
18 and testimony as may be introduced at the hearing of this matter.
19

20
21 Respectfully submitted this 14th day of November, 2005.

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23 _____
ROBERT T. TORRES F0197
Attorney for Dai, Xiao Jun